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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 SECURITIES AND EXCHANGE COMMISSION,

14 Plaintiff,

15 v.

16 DALE SWANBERG,

17 Defendant.
18
19
20
21

Case No. 3:22-cv-04859-WHO

**STIPULATION TO REQUEST
TEMPORARY ADJOURNMENT OF
SETTLEMENT CONFERENCE AND
ASSOCIATED DEADLINES AND
ORDER (AS MODIFIED)**

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10 *(Additional counsel for Mr. Swanberg listed in
 Signature Block at the end of this Statement)*

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 12 **STIPULATION TO REQUEST TEMPORARY ADJOURNMENT OF SETTLEMENT
 CONFERENCE AND ASSOCIATED DEADLINES**

13 Pursuant to the Settlement Standing Order and Notice of Settlement Conference dated March
 14 18, 2025 (ECF Nos. 77, 78), Plaintiff Securities and Exchange Commission (“SEC”) and Defendant
 15 Dale Swanberg (“Mr. Swanberg”) (collectively, the “Parties”) jointly submit this request to temporarily
 16 adjourn the Court’s settlement conference with Chief Magistrate Judge Ryu scheduled for June 5, 2025
 17 (the “Scheduling Conference”) and all associated settlement conference deadlines.

18 On March 25, 2025, after the Settlement Conference was scheduled, the Court granted the
 19 SEC’s motion to reschedule certain other deadlines in this case, due to the recent turnover of the SEC’s
 20 trial team (the “March 25 Order”) (ECF 80). The March 25 Order rescheduled the last day to hear
 21 dispositive motions to October 8, 2025 (from July 16, 2025); and the trial date to March 30, 2026 (from
 22 October 20, 2025). The parties currently are engaged in expert discovery, which is set to close on June
 23 13, 2025 (ECF No. 85).

24 Mr. Swanberg is currently engaged in discussions with the SEC’s Enforcement Division
 25 regarding possible resolution of this matter, and the Parties are scheduled to meet on June 4, 2025 to
 26 continue these discussions. The Parties believe that the Settlement Conference can be productive only
 27 after these initial discussions have been conducted. Therefore, the Parties believe good cause exists to
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temporarily adjourn the Settlement Conference. Also, because the Court previously extended the remaining deadlines in this matter, an adjournment of the Settlement Conference should not cause any delay in the proceedings. If the matter has not been resolved, within seven days of the Parties' June 4, 2025 meeting, the Parties will propose new dates for the Settlement Conference for the Court's and Magistrate Judge Ryu's consideration.

STIPULATED AND AGREED TO BY:

Dated: May 12, 2025

/s/ Anthony J. Moreno

Laura E. Meehan

Samuel Wasserman

Anthony J. Moreno

Attorneys for Plaintiff

SECURITIES AND EXCHANGE COMMISSION

Dated: May 12, 2025

/s/ Natalie F. Wayne

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LOCAL RULE 5-1(h)(3) ATTESTATION

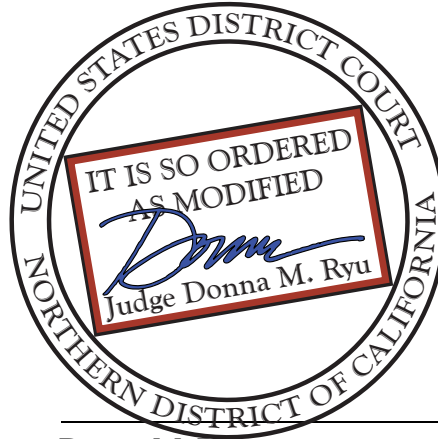
Pursuant to L.R. 5-1(h)(3), I, Anthony J. Moreno, attest that all signatories identified above, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

/s/ Anthony J. Moreno

ORDER (AS MODIFIED)

Based on the foregoing stipulation, and for good cause shown, IT IS HEREBY ORDERED that (1) the Court's settlement conference previously scheduled for June 5, 2025 (the "Settlement Conference") is temporarily adjourned; and (2) Judge Ryu will convene a settlement planning call by Zoom on June 11, 2025 at 10:30 a.m.

Dated: May 12, 2025



Donna M. Ryu
Chief Magistrate Judge